

## **Remarks**

Applicant has amended claims 9-11 to add the automatic coffee maker as an additional element of the previous claims. Applicant believes this address Examiners objections

Applicant has amended the claims to make clear that the compartments of line 2 are the same compartments referred to in the rest of the claim and clarified the output of line 3 as being the output of line 7.

In the office action the examiner stated that claims 1 and 3-6 are anticipated by US 6,339,985 (Whitney). With respect to claims 7 -11 the examiner stated that these have been obvious over Whitney in view of US 4,759,274 (Schmidt).

Applicant respectfully disagrees with the examiner and request reconsideration. Applicant has amended the claims to clarify the wording of the claims to make clear the distinctions between the present disclosure and the prior art.

Whitney discloses a coffee maker including a coffee grinder. The coffee grinder comprises a coffee bean container with several compartments being arranged like a carousel (ref. figure 30, 31 and column 11, beginning line 43). Each of the containers of the container carousel has a bottom opening. The carousel is arranged within an outer housing and is arranged rotatably within this outer housing. The outer housing forms a closure for each of the bottom openings and comprises a chute (108) positioned beneath the container and above the grinder. Thus only beans of that container positioned with its bottom opening above the chute (s) may pass through the chute, (ref. figure 31). The outer housing of the container carousel is fixed and only the container carousel disposed inside the outer housing may be rotated around its central bore. This rotatable movement is necessary in order to position the container with the desired coffee beans above the chute of the outer housing. Below the chute is the grinding mill. The outer housing together with the chute form one unit referred to as the container carousel (100).

The examiner cites the closure element (76-79) of figure 24 of Whitney. It has to be noted, that the door assembly described in these figures of Whitney is a moving door assembly for one central opening. Claim 1 has been amended to make clear that the closure element of the present device is a non-moving closure element and that it form a single, non moving unit with the grinding mill. The closure element described in figures 24 -27 is a moving door and does not

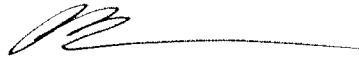
form a unit with the grinding mill of Whitney. Therefore the claimed coffee grinder is also novel in view of this embodiment of Whitney.

The device claimed is also not obvious in respect of Whitney and/or Schmidt. The closure element according to the coffee grinder claimed is used for selectively opening and closing a bottom opening of one of the compartments of the coffee bean container. Even if a person skilled in the art would combine the embodiment depicted in figures 30 -32 of Whitney and the one depicted in figures 24 -27 of Whitney this would not lead to the claimed coffee grinder. This would not lead to a closure element and the grinding mill forming a single, non-moving unit.

If Examiner believes that a telephone interview would further the examination of this case, he is encouraged to call Applicant's undersigned attorney.

Applicant respectfully requests the Examiner to pass this application to allowance.

Respectfully submitted,



Date: 8/17/00

Margaret Polson, Reg. No. 42,082  
Patent Law Offices of Rick Martin, P.C.  
416 Coffman Street  
Longmont, CO 80501  
(303) 651-2177